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**Via ECF**

May 26, 2021

The Honorable Joan M. Azrack  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

Re: Julia F. Soussis, Debtor-Appellant v. Michael J. Macco, Chapter 13 Trustee-  
Respondent  
Civil Action No. 2:20-cv-05673-JMA

Your Honor:

The Debtor-Appellant Julia Soussis desires to supplement her briefing of this case by the inclusion of a decision dated May 24, 2021 (the “Decision”) by the United States Court of Appeals for the Second Circuit (the “Second Circuit”); accordingly, the Decision was issued only this week after the conclusion of the briefing in the above-referenced appeal..

In the first full paragraph on page 22 of the Brief for Debtor-Appellant dated February 12, 2021, the Debtor-Appellant quoted from the List of Changes and Updates to the Handbook for Chapter 13 Standing Trustee dated May of 2015 stated:

“If the plan is dismissed or converted prior to confirmation, the standing trustee must reverse payment of the percentage fee that had been collected upon receipt if there is controlling law in the district requiring such reversal or ...”

The Decision held that an inconsistency in the collection of Chapter 11 quarterly fees between jurisdictions utilizing the United States Trustee Program to oversee bankruptcy administration relative to those in which judicially appointed bankruptcy administrators perform the same function in Chapter 11 proceedings was unconstitutional. Specifically, page 19-20 of the Decision stated:

“We hold that, because the 2017 Amendment similarly governs debtor-creditor relations and impacts the relief available, it is a bankruptcy law subject to the Bankruptcy Clause and is constitutional only if ‘uniform.’ U.S Const. art. I, §8, cl.4.”

A copy of the Decision is annexed hereto.

Thank you in advance for all of your courtesies in this matter.

Respectfully submitted,

/s/ Jeffrey Herzberg

Jeffrey Herzberg

cc. Peter Corey, Esq. by ECF

Andrew D. Velez-Rivera, Esq. by ECF

Ms. Julia Soussis by email

Annex